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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/589,795	06/08/2000	Richard Louis Arndt	AUS9-2000-0220-US1	9725

7590 10/03/2003

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EXAMINER
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VO, LILIAN

ART UNIT	PAPER NUMBER
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2127

DATE MAILED: 10/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/589,795

Applicant(s)

ARNDT, RICHARD LOUIS

Examiner

Lilian Vo

Art Unit

2127

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 08 June 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

1. Claims 1 – 19 are presented for examination.

#### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1- 19 are rejected under 35 U.S.C. 102(e) as being anticipated by Doing et al. (US 2003/0009648 A1, hereafter referred to Doing).

The applied reference has a common assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention “by another,” or by an appropriate showing under 37 CFR 1.131.

Regarding **claim 1**, Doing discloses a method for mediating address translation in a logically partitioned data processing system having a set of logical partitions with an operating system assigned to each logical partition within the set of logical partitions, the method comprising:

receiving from an operating system within a logical partition from the set of logical partitions a request to access a physical resource (paragraphs 0029, 0040, 0065 – 0066, and 0137);

responsive to a determination that the physical resource has been allocated to the logical partition, selectively modifying an address translation table to allow access to the physical resource by the operating system (paragraphs 0029, 0040, 0065 – 0066, 0104 and 0137).

Regarding **claim 2**, Doing discloses the method as recited in claim 1, further comprising:  
responsive to a determination that the physical resource is allocated to a different logical partition in the set of logical partitions, refraining from modifying the address translation table (paragraphs 0104, 0106).

Regarding **claim 3**, Doing discloses the method as recited in claim 2, further comprising:  
sending a message to the operating system indicating that the request is denied (paragraphs 0104, 0106).

Regarding **claim 4**, Doing discloses the method as recited in claim 1, wherein the address translation table comprises a table of virtual addresses with corresponding physical addresses, wherein the virtual addresses are addresses utilized by the operating system and the physical addresses are addresses corresponding to the physical location of resources within the logically partitioned data processing system (fig. 8, paragraphs 0060 and 0062).

Regarding **claim 5**, Doing discloses the method as recited in claim 4, wherein the physical addresses are allocated to various ones of multiple logical partitions in a disjoint fashion (paragraphs 0061 0138).

Regarding **claim 6**, Doing discloses the method as recited in claim 4, wherein consecutive virtual addresses need not correspond to consecutive physical addresses (paragraphs 0037, 0060, 0061, 0101 and 0138).

**Claims 7 and 13** are rejected on the same ground as stated in claim 1 above.

**Claims 8 and 14** are rejected on the same ground as stated in claim 2 above.

**Claims 9 and 15** are rejected on the same ground as stated in claim 3 above.

**Claims 10 and 16** are rejected on the same ground as stated in claim 4 above.

**Claims 11 and 17** are rejected on the same ground as stated in claim 5 above.

**Claims 12 and 18** are rejected on the same ground as stated in claim 6 above.

**Claim 19** is rejected on the same ground as stated in claims 1 - 5 above.

### *Conclusion*

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US 6,467,007 B1, US 6,510,496 B1 and US 5,708,790.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lilian Vo whose telephone number is (703) 305-7864.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Lilian Vo  
Examiner  
Art Unit 2127

lv  
April 30, 2003

  
MAJID A. BANANKHAH  
PRIMARY EXAMINER